IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7390 OF 2004

Dinesh Daulatram Motwani .. Petitioner.
Vs.
Sunita Dinesh Motwani .. Respondent.

Mr.R.L.Lalwani for the petitioner.
Mr.A.M.Saraogi for the respondent.

CORAM : D.B.BHOSALE, J.

DATED : 28TH SEPTEMBER, 2004

P.C.:

. Heard Mr.Lalwani, learned counsel for the petitioner and Mr.Saraogi, learned counsel for the respondent.

2. Mr.Lalwani, learned counsel for the petitioner, on instructions, states that he is not pressing this petition on merits. He further submits that the family court be directed to dispose of the main petitions bearing No.A-1544/1999 and A-222/2000 within time frame and the petitioner be given six months time to clear the arrears. Mr.Saraogi, learned counsel for the respondent-wife has no objection for giving such directions to the family court. Having considered

the overall facts and circumstances of the case I am satisfied that the following order shall meet the ends of justice:

(a) The petition is dismissed as not pressed.

(b) The family court shall dispose of the petition bearing Nos.A-1544/1999 and A-222/2000 as expeditiously as possible and preferrably within a period of nine months from today.

(c) The statement of Mr.Lalwani, learned counsel for the petitioner that the petitioner shall deposit arrears within six months in six equal instalments commencing from 15th October, 2004 is accepted. In so far as the monthly maintenance is concerned that order is maintained.

(d) Needless to say that the family court shall decide the issue of maintenance and main petitions uninfluenced by the observations made in the impugned order.

(D.B.Bhosale, J.)